

AMENDED

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAY 6 1970 NEW PRIORITY DATE: MAR 13 1990Returned to applicant for correction NOV 9 1970Corrected application filed JAN 4 1971 Map filed FEB 10 1971 under 25592The applicant N. B. Ranches, Inc. ASSIGNED

of P. O. Box 117, Orovada, County of \_\_\_\_\_

State of Nevada 89425, hereby makes application for permission to change the

Point of Diversion and Place of Use

of water heretofore appropriated under Proof No. 0652A Little Humboldt River

Decree Page 43

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Tule Slough (See source of Tule Slough in Exhibit A)  
(Name of stream, lake or other source.)2. The amount of water to be changed 7.14 C.F.S. 2,568.96 acre feet  
(Second feet, acre feet.)3. The water to be used for Irrigation and Domestic  
(If for stock state number and kind of animals.)4. The water heretofore used for Irrigation and Domestic  
(If for stock state number and kind of animals.)5. The water is to be diverted at the following point Bears N. 75° 35' W. a distance of  
725 ft. from S $\frac{1}{4}$  corner of Sec. 13, T. 40N., R. 39E MDB&M SE $\frac{1}{4}$ SW $\frac{1}{4}$   
(Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)

Sec. 13

6. The existing point of diversion is located within See Little Humboldt River Decree  
Page 43 Proof No. 0652A (Not Given)  
(If point of diversion is not changed, do not answer.)7. Proposed place of use See Exhibit B  
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)8. Existing place of use See Exhibit A  
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)9. Use will be from April 1 to Sept. 27 (180 days) of each year.  
(Month) (Month)10. Use has been from ..... to ..... of each year.  
(Month) (Month)

11. Description of proposed works.

(Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)

(State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)

12. Estimated cost of works..... Over \$100.00

13. Estimated time required to construct works..... One Year

The waters of the Little Humboldt River, Martin Creek and Cottonwood Creek

14. Remarks are co-mingled at the point of diversion given. See indenture  
between Dwight G. Vedder and Dwight G. Vedder Co. a limited co-partnership  
and Frank McCleary Cattle Co., filed in the State Engineers Office March 18,

1964

Compared..... jn/jw..... pr/bc..... Applicant..... N. B. Ranches, Inc.

Protested 5/4/71 by Alvin E. Miller et al  
Withdrawn 7/20/76

By S/J. R. Caldwell

260 Minor Street

Winnemucca, Nevada 89445

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of Tule Slough as heretofore appropriated under Proof 0652A as appears in the Little Humboldt River Decree No. 3157 entered May 9, 1935, in the District Court of the Sixth Judicial District of the State of Nevada, in and for the County of Humboldt, is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 7.14 cubic feet per second, and shall not exceed the acre-feet per irrigation season as designated by the decree.

Actual construction work shall begin on or before..... N/A

Proof of commencement of work shall be filed before..... N/A

Work must be prosecuted with reasonable diligence and be completed on or before..... December 20, 1985

Proof of completion of work shall be filed before..... January 20, 1986

Application of water to beneficial use shall be made on or before..... December 20, 1988

Proof of the application of water to beneficial use shall be filed on or before..... January 20, 1989

Map in support of proof of beneficial use shall be filed on or before..... January 20, 1989

Commencement of work filed.....

IN TESTIMONY WHEREOF, I, PETER G. MORROS

Completion of work filed..... State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed..... my office, this..... 20th day of..... December.....

Cultural map filed.....

A.D. 6 84

Certificate No..... Issued.....

Peter G. Morros

Recorded..... Bk..... Page.....

State Engineer

CANCELLED 2/4/71 FEB 28 1990 BECAUSE OF FAILURE  
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

STATE ENGINEER

RECORDED 6/28/70

BECAUSE OF FAILURE  
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT  
SEP 17 1991  
CANCELED  
PETER G. MORROS  
STATE ENGINEER

Exhibit B

Subdivision Sec. T.N.R.E.

1/11	24	HO	39
W 1/2	19	HO	HO
NE 1/4	19	HO	HO
N 1/2 SE 1/4	19	HO	HO
SW 1/4 SE 1/4	19	HO	HO
W 1/2 W 1/2	30	HO	HO
E 1/2 NW 1/4	30	HO	HO
NW 1/4 NW 1/4	31	HO	HO
1/11	23	HO	39
E 1/2	22	HO	39
E 1/2	27	HO	39
1/11	26	HO	39
1/11	25	HO	39
NE 1/4	36	HO	39
N 1/2 SE 1/4	36	HO	39
W 1/2	36	HO	39
1/11	35	HO	39
1/11	34	HO	39

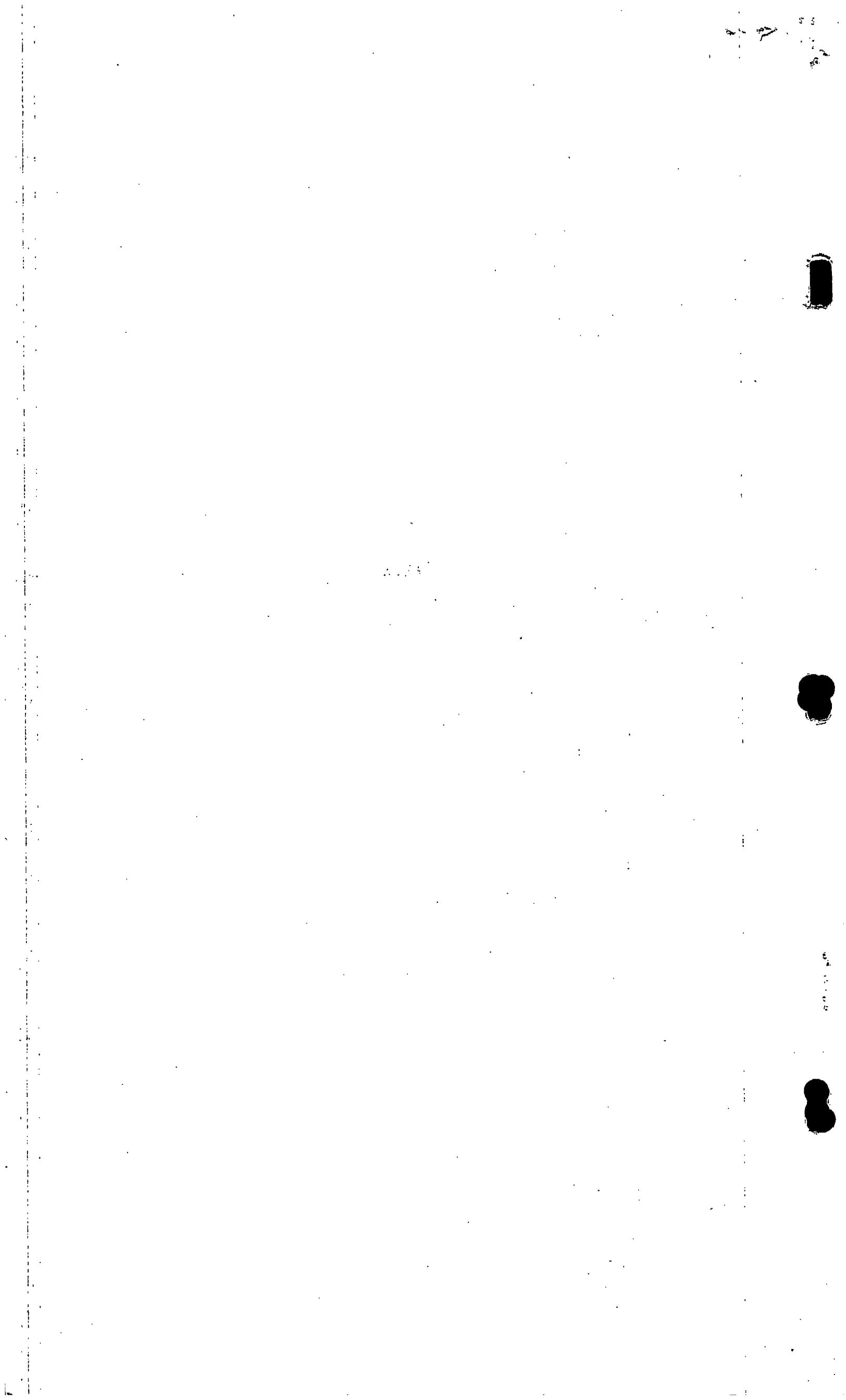


EXHIBIT "H"

Source — Tule Slough

Ditch — Tule Slough\*

Point of Diversion — Not Given

Year of Priority	Culture (Acres)	Description				T.N.	R.E.
		Class A	Class B	Class C	Subdivision	Sec	
1867	40.00				NE $\frac{1}{4}$ NE $\frac{1}{4}$	10	39
1876	40.00				SE $\frac{1}{4}$ NE $\frac{1}{4}$	10	39
1876	40.00				NE $\frac{1}{4}$ SE $\frac{1}{4}$	10	39
1876	40.00				SE $\frac{1}{4}$ SE $\frac{1}{4}$	10	39
1876	40.00				NE $\frac{1}{4}$ NE $\frac{1}{4}$	15	39
1876	40.00				NW $\frac{1}{4}$ NE $\frac{1}{4}$	15	39
1876	40.00				SW $\frac{1}{4}$ NE $\frac{1}{4}$	15	39
1876	40.00				SE $\frac{1}{4}$ SE $\frac{1}{4}$	15	39
1876	35.30				NE $\frac{1}{4}$ SE $\frac{1}{4}$	15	39
1876	40.00				NW $\frac{1}{4}$ SE $\frac{1}{4}$	15	39
1876	40.00				SW $\frac{1}{4}$ SE $\frac{1}{4}$	15	39
1876	21.00				SE $\frac{1}{4}$ SE $\frac{1}{4}$	15	39
1880	8.80				NE $\frac{1}{4}$ NE $\frac{1}{4}$	22	39
1880	40.00				NW $\frac{1}{4}$ NE $\frac{1}{4}$	22	39
1880	21.00				SW $\frac{1}{4}$ NE $\frac{1}{4}$	22	39
1880	40.00				NE $\frac{1}{4}$ NW $\frac{1}{4}$	22	39
1880	39.30				SE $\frac{1}{4}$ NW $\frac{1}{4}$	22	39
1880	20.00				NE $\frac{1}{4}$ SW $\frac{1}{4}$	22	39
1880	3.20				SW $\frac{1}{4}$ SW $\frac{1}{4}$	22	39
1880	37.60				SE $\frac{1}{4}$ SW $\frac{1}{4}$	22	39
1880	13.00				NW $\frac{1}{4}$ SE $\frac{1}{4}$	22	39
1880	34.40				SW $\frac{1}{4}$ SE $\frac{1}{4}$	22	39
Total	713.60						

\* Tule Slough Ditch draws its water from the Tule Slough or Lake formed from waters of the Little Humboldt River, Martin Creek and Cottonwood Creek. See Proof # 065217 Little Humboldt River Decr.

